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ESP - 2 1994

1. CASE NUMBER C9470014 9 4 0 8 1 6 C C C 3 6 8 1		2. INVESTIGATOR'S ID 8 9 5 3		EPIDEMIOLOGIC INVESTIGATION  REPORT
3. OFFICE CODE 8 6 0	4. DATE OF ACCIDENT 9 4 0 5 0 4	5. DATE INITIATED 9 4 0 8 2 2		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT Complainant's toaster oven was stored on top of the kitchen counter plugged in but in the off position, when it made a noise followed by the smell of burning electrical wiring and smoke. The surface temperature was hot to the touch. The complainant unplugged the unit. There were no injuries or damages. The complainant could not recall the products last usage. The unit has been returned to the manufacturer.				
7. LOCATION (Home, School, etc.) home		8. CITY 1 0 Ashland		9. STATE Oregon O R
10A. FIRST PRODUCT toaster oven 0 2 1 6		10B. TRADE/BRAND NAME Black & Decker		10C. MODEL NUMBER Toast-R-Oven model #TR51TY2
10D. MANUFACTURER NAME AND ADDRESS Black & Decker, 626 Hanover Pike, Hampstead, MD 21074				
11A. SECOND PRODUCT n/a		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS n/a				
12. AGE OF VICTIM 9 9 9	13. SEX 9	14. DISPOSITION no injury 0	15. INJURY DIAGNOSIS no injury 70 70	
16. BODY PART(S) INVOLVED no injury 9 9	17. RESPONDENT complainant 1	18. TYPE OF INVESTIGATION telephone 2	19. TIME SPENT (Operational hours) 0 4.0	
20. CATEGORY ID -----	21. CASE SOURCE referral from state agency 1 3		22. SAMPLE COLLECTION NUMBER -----	
23. PERMISSION TO DISCLOSE NAMES (Non Neiss Cases Only) YES: X NO:				
24. REVIEW DATE 940831	25. REVIEW BY 8101		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O:EPNS cc: NYRO, CECA, SFRO				

3/13/95  
Comments made  
attached  
requested  
X

The following information was obtained from a telephone conversation with the complainant. His wife supplied some information during the telephone call. The product has been returned to manufacturer, who in turn sent a replacement unit.

**PRE-INCIDENT:**

The incident involved a toaster oven which was owned by the complainant and his wife. The toaster oven was purchased about 5 years ago. It had been primarily used about 6 times a year in the couple's motor home when they went camping. The wife normally used it, and the complainant was not familiar with its operation. The wife had used it occasionally in the home, which she estimates at about two to three times a month. The complainant could not specifically say what type of food was cooked in the toaster oven.

The toaster oven had been cleaned after each usage.

The complainant and his wife could not recall reading the owner's manual.

The complainant reports that no problems were ever experienced with the toaster oven. It had not been repaired or modified in any way.

The toaster oven was stored on the kitchen counter. It was kept plugged in at all times. When not in use, it was covered by a fitted cotton covering. Various items were stored on top of the oven, such as bread and baskets.

The oven was only removed from this location when the complainant took it out to his motor home for use on camping trips.

Prior to the incident, the complainant and his wife could not recall when the toaster oven had last been used. All that they could recall was that it hadn't been used recently. The control was in the off position at the time of the incident, and the toaster oven was covered.

**INCIDENT:**

The incident occurred sometime on the morning of May 4, 1994. The weather was fair and there was no rain or storms at this time. The complainant and his wife had just finished breakfast. His wife was running late, and had to run an errand, so the complainant told her that he would clean up the kitchen, something which he stated that he never does. He stated that normally he is not in the kitchen. His wife had left, and as he was in the process of washing the dishes, he heard a strange noise. He couldn't describe the sound. Several seconds later, he noticed the smell of what he thought was burning electrical wire. He inspected the kitchen appliances, such as the refrigerator, dish washer, oven and microwave, and he found nothing unusual. He followed the burning smell to the area of the microwave oven, where the smell appeared strongest. Checking around the area, he felt that the toaster oven had an excessive surface temperature. He removed the cloth covering and miscellaneous items from the top of the toaster oven, then unplugged it.

**POST INCIDENT:**

There were no injuries or damages as a result of the incident.

The complainant told his wife what happened when she came home, and she didn't believe him. He attempted to duplicate the incident by again plugging in the toaster oven. The control was in the off position. As soon as he plugged it in, the toaster oven's surface temperature got hot to the touch, and the smell of burning electrical wire and smoke occurred. The complainant then unplugged the oven, and the couple never used it again.

The complainant sent a letter to the manufacturer advising them of the incident (letter attached to assignment). The complainant received no response, and he was leaving the country on a lengthy business trip, so he asked his wife to follow-up on the matter. The wife said that she sent the manufacturer another letter (she did not maintain a copy for her records). The complainant and

his wife received no written correspondence from the manufacturer in response to their letters sent. However, in response to the wife's letter, the manufacturer contacted her via telephone and told her to return the product. She did so at her own expense, and a replacement model was received shortly thereafter. The wife states that the replacement model is a different one from their original unit. They have had no further contact with the manufacturer.

**STANDARDS INFORMATION:**

The toaster oven was labeled "UL TOASTER LISTED 228E".

**PRODUCT IDENTIFICATION:**

The product involved is a 1500 watt Black & Decker toaster oven. The model is Toast-R-Oven model number TR51TY2. It was purchased approximately 5 years ago (retailer not recalled). The manufacturer is Black & Decker, 626 Hanover Pike, Hampstead, MD 21074.

The complainant and his wife could not recall too many descriptive details regarding the toaster oven. All that was recalled was that it was most probably a standard size, approximately 14" wide, 8" high, 8" deep. The cabinet was metal, the front door hinged down, and it had plastic handles and feet. They could not recall the controls.

ACCIDENT INVESTIGATION REQUEST FORM

JPD

CCF 14

X

Document Number C470014

Date of Incident 5/4/94

Category I.D. \_\_\_\_\_

Follow-Up Requested \_\_\_\_\_

Hazard Analysis \_\_\_\_\_

Section 15

Type Follow-Up Requested \_\_\_\_\_

Telephone Call

or

On-Site

Headquarters Contact R. Rauchschaalbe

Assignment Message Obtain toaster oven for ESEL's evaluation. Determine date of purchase, prior service record, prior problems, and pattern of use.

Person(s) to Contact Capt Robert Connard  
Ashland, OR  
503-488-3488

Guideline \_\_\_\_\_

Requested By RR

Task Number 940816CCC3681

Assigned to SFOO

Date 08/16/94

940816CCC3681

EPDS

C470014

570 NYLA LANE  
ASHLAND, OR. 97520  
5 MAY 1994

BLACK & DECKER  
CUSTOMER SERVICE  
626 HANOVER PIKE  
HAMPSTEAD, MD, 21074

JUL 21 1994

REF: TOAST-R-OVEN  
MODEL NO. TR51TY2  
SHEYON CONN  
120V 1500 WATT  
UL TOASTER LISTED 226E

DEAR SIR;

YESTERDAY MORNING I FORTUNATELY HAPPENED TO BE IN THE KITCHEN, WHEN SUDDENLY A STRANGE NOISE WAS HEARD. SEVERAL SECONDS LATER THE SMELL OF BURNING ELECTRICAL WIRE WAS NOTICED.

INSPECTION OF THE REFRIGERATOR, DISH WASHER, OVEN AND MICROWAVE UNITS SHOWED NOTHING. THE SMELL BECAME STRONGER NEAR THE MICROWAVE UNIT, AND FEELING AROUND FOUND MY WIFE'S TOAST-R-OVEN UNDER A DECORATIVE COTTON COVERING.

THIS MUST HAVE TAKEN LESS THAN A MINUTE SINCE HEARING THE 'STRANGE NOISE', BUT UNCOVERING THE TOAST-R-OVEN FOUND IT TO BE ENERGIZED, AND THE TOP HOT TO MY TOUCH.

THIS APPLIANCE TURNED-ON BY ITSELF.

AFTER MY WIFE RETURNED I WAS ABLE TO DUPLICATE THE BURNING, AND SMOKE, FROM THE INTERNAL WIRING.

IF I HAD NOT BEEN IN THE KITCHEN AT THAT TIME I FEEL STRONGLY THAT A SERIOUS FIRE WOULD HAVE ENSUED FROM THE COVERING REACHING IGNITION TEMPERATURE AND SPREADING TO OVERHEAD CABINETS.

I BRING THIS TO YOUR ATTENTION FOR ALL CORRECTIVE ACTION THAT IS DEEMED NECESSARY TO PRECLUDE YOUR APPLIANCES FROM BEING ENERGIZED AT WILL.

THANK YOU,



CAPT. ROBERT J. CONNARD  
ph (503) 488-3488

COPY

THEODORE R. KULONGOSKI  
Attorney General

THOMAS A. BALMER  
Deputy Attorney General



DEPARTMENT OF JUSTICE

CIVIL ENFORCEMENT DIVISION  
1162 Court Street NE  
Salem, Oregon 97310  
Telephone: (503) 378-4732  
FAX: (503) 373-7067  
TDD: (503) 378-5938

July 11, 1994

Robert J. Connard  
570 Nyla Lane  
Ashland, OR 97520

Re: Our File Number 400-2821-94  
Complaint About Black & Decker

Thank you for sending us your complaint. Since you have complained about a practice which the agency listed below has authority to investigate, we have forwarded your complaint to them.

We appreciate when the public writes to us, as you have, about consumer problems. By attempting to avoid duplicating the work of other government agencies, we keep our staff available to assist consumers who have nowhere else to turn.

Becky L. Papke  
Enforcement Officer

BLP:lgs/ewf03ce9/4  
cc: U.S. Consumer Product Safety Commission  
Washington, D.C> 20207  
(ds#1/C1)

# CONSUMER COMPLAINT FORM

Mail Directly To:  
Financial Fraud  
Consumer Complaints  
1162 Court Street NE  
Salem, OR 97310



MAY 10 1994

CIVIL ENFORCEMENT DIVISION

YOUR NAME: ROBERT J. CONNARD

ADDRESS: 570 NYLA LANE ASHLAND OR. 97520  
(Street) (City) (State) (ZIP)

TELEPHONE: (Home) (503) 488-3448 (Work) \_\_\_\_\_

SELLER: BLACK & DECKER

ADDRESS: \_\_\_\_\_  
(Street) (City) (State) (ZIP) (Phone)

DATE OF TRANSACTION: UNKNOWN SALESPERSON: UNKNOWN

AMOUNT INVOLVED: UNKNOWN

HAVE YOU COMPLAINED TO THE COMPANY: YES - SEE ATTACHED LETTER

Although the Financial Fraud Section of the Department of Justice enforces laws protecting citizens from fraudulent and deceptive business practices, and although in appropriate circumstances this office will seek partial or full restitution for you, WE CANNOT ACT AS YOUR PRIVATE LAWYER AND MUST BE CONCERNED PRIMARILY WITH THE PROTECTION OF THE INTERESTS OF THE PUBLIC AT LARGE. You may therefore wish to consider contacting your own attorney even though you have filed a complaint with this office.

This complaint may be sent to the company or person identified in the complaint if an investigation is made by this office. If for any reason you do not want a copy of this complaint to be sent to the business identified, please so state. Please be advised that, in any event, this complaint will become part of the public record.

Explain fully events in the order which they happened. (Attach copies of contract, ad, etc.)

In the event you are complaining about the nondelivery of goods or services, please attach a copy of your cancelled check (front and back), credit card statement or receipt or any other proof of purchase, if available.

PLEASE PRINT IN INK OR USE TYPEWRITER

SEE ATTACHED Letter dated 5/25/94, Addressed to  
BLACK & DECKER  
Customer Service  
626 HANOVER PIKE  
Hampstead, MD. 21074